

# **Exhibit B**

**In The Matter Of:**  
*Mark Webb, et al. v.*  
*Volvo Cars of N.A., LLC, et al.*

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*Leo Werberg*  
February 26, 2013

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<p>1 statements which I dispute --</p> <p>2 MR. MALOFIY: Well, let me break</p> <p>3 it down.</p> <p>4 MR. WICKERSHAM: Let the witness</p> <p>5 answer.</p> <p>6 THE WITNESS: You've just made</p> <p>7 many statements with which I would</p> <p>8 dispute --</p> <p>9 MR. MALOFIY: Okay.</p> <p>10 THE WITNESS: -- most, if not</p> <p>11 all. If you have a specific question, I'm</p> <p>12 more than happy to answer; that's what I'm</p> <p>13 here to do.</p> <p>14 BY MR. MALOFIY:</p> <p>15 Q. Besides the Volvo 850 GLT, which</p> <p>16 you've identified on Werberg-11 from the script</p> <p>17 on the back of the picture, at the bottom-most</p> <p>18 portion, are you able to identify any other</p> <p>19 make or model Volvo on Werberg-11?</p> <p>20 MR. WICKERSHAM: Form objection.</p> <p>21 THE WITNESS: Werberg-11 appears</p> <p>22 to be... very similar to Werberg-10, with</p> <p>23 the addition of some information.</p> <p>24</p>	Page 97	<p>1 Q. What's it state? Maybe that's easier</p> <p>2 just for the record. What's the additional</p> <p>3 information stated on Werberg-11? And if you</p> <p>4 would, I'll hand you my pen, and you can circle</p> <p>5 it, sir.</p> <p>6 A. To answer that, I'd have to look at</p> <p>7 Werberg-10, but you got visibly upset last time</p> <p>8 I did that, so I'm going to reach out now and</p> <p>9 grab Werberg-10 if you're going to answer --</p> <p>10 ask me that question again.</p> <p>11 Q. Well, let me do this. Let me identify</p> <p>12 the yellow, uh, heading on top of the</p> <p>13 illustration.</p> <p>14 A. Please do, please do.</p> <p>15 Q. I'm going to circle this.</p> <p>16 A. Please do.</p> <p>17 Q. And I believe this was what you were</p> <p>18 referring to.</p> <p>19 A. Yes.</p> <p>20 Q. Is that the additional piece of</p> <p>21 information which you're referring to, which</p> <p>22 your counsel coached you on by identifying this</p> <p>23 as the additional yellow bar with information</p> <p>24 on it?</p>	Page 99
<p>1 BY MR. MALOFIY:</p> <p>2 Q. That's not my question, if it appears</p> <p>3 to be similar. I didn't ask you if it appears</p> <p>4 to be similar; I didn't ask you if it has</p> <p>5 additional information.</p> <p>6 My question -- my question was: Can</p> <p>7 you identify any other make or model on</p> <p>8 Werberg-11 other than the Volvo 850 GLT, which</p> <p>9 you have previously identified from the script</p> <p>10 on the back of the Volvo?</p> <p>11 MR. WICKERSHAM: Form objection.</p> <p>12 THE WITNESS: There could be one</p> <p>13 of many models represented by the</p> <p>14 illustration. There is additional</p> <p>15 information on this exhibit, Werberg-11,</p> <p>16 compared with the previous exhibit,</p> <p>17 Werberg-10. That additional information</p> <p>18 appears to indicate what vehicle is in the</p> <p>19 illustration.</p> <p>20 BY MR. MALOFIY:</p> <p>21 Q. Does it indicate the make, that</p> <p>22 additional information; does it give you the</p> <p>23 make of that additional information?</p> <p>24 A. The additional information --</p>	Page 98	<p>1 MR. WICKERSHAM: Form objection.</p> <p>2 THE WITNESS: Please state your</p> <p>3 question.</p> <p>4 BY MR. MALOFIY:</p> <p>5 Q. Yes. Can you please read the</p> <p>6 additional information which we're discussing</p> <p>7 into the record? What's it say?</p> <p>8 A. Are you asking me to read what you've</p> <p>9 circled on the document?</p> <p>10 Q. Sure.</p> <p>11 A. Yes, I can do that.</p> <p>12 Q. Go ahead.</p> <p>13 A. It says, "900 Series Side Impact</p> <p>14 Presentation System."</p> <p>15 Q. Okay. Does it provide the make where</p> <p>16 it reads -- when you read that, does that</p> <p>17 identify the make of this 900-series side</p> <p>18 impact protection, yes or no?</p> <p>19 Can you tell me, or can you circle,</p> <p>20 the make of that Volvo 900-series -- excuse me,</p> <p>21 of the 900-series side impact protection</p> <p>22 system?</p> <p>23 A. The information that you've circled</p> <p>24 here, in this exhibit, states, "900 Series Side</p>	Page 100

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<p>1 Impact Presentation System."</p> <p>2 Q. Does it identify the make --</p> <p>3 A. I wasn't quite finished.</p> <p>4 It states, "900 Series Side Impact</p> <p>5 Protection System"; nothing more, nothing less.</p> <p>6 That's exactly what's stated in the circle</p> <p>7 you've drawn on this exhibit.</p> <p>8 Q. And it doesn't identify the make as</p> <p>9 being Volvo, correct?</p> <p>10 A. What you've circled here does not</p> <p>11 state anything about a -- a make.</p> <p>12 Q. How about what I circled there and the</p> <p>13 illustration below it, the heading and the</p> <p>14 illustration, does that identify this</p> <p>15 illustration being a Volvo?</p> <p>16 A. Which heading are you referring to?</p> <p>17 Q. The one we circled, sir. The one that</p> <p>18 reads, "900 Series Side Impact Protection</p> <p>19 System." And that has an illustration which</p> <p>20 we've been talking about throughout the course</p> <p>21 of this morning.</p> <p>22 Anywhere on that illustration or on</p> <p>23 that heading, does it identify Volvo?</p> <p>24 MR. WICKERSHAM: Form objection.</p>	Page 101	<p>1 questioning.</p> <p>2 A. So one looking at this document would</p> <p>3 assume that it's discussing Volvo Cars and not</p> <p>4 some other make of car.</p> <p>5 Q. Did the Volvo ever make a 900-series</p> <p>6 model specifically?</p> <p>7 A. Volvo Car Corporation produced a 900-</p> <p>8 series model.</p> <p>9 Q. Was it called a 900 series model, or</p> <p>10 was it called a 940 or a 960 specifically? Did</p> <p>11 you ever a car that was called "Volvo 900</p> <p>12 series," or is that the term that's used for</p> <p>13 that platform?</p> <p>14 MR. WICKERSHAM: Form objection.</p> <p>15 THE WITNESS: The term "900</p> <p>16 series" is used to describe a number of</p> <p>17 models.</p> <p>18 BY MR. MALOFIY:</p> <p>19 Q. Okay. What models?</p> <p>20 A. For example, the 940 and the 960.</p> <p>21 Q. So was there ever a Volvo model that</p> <p>22 said "900," 9-0-0, on it? Have you ever seen</p> <p>23 that? Ever.</p> <p>24 A. I'm not aware of a model called "The</p>	Page 103
<p>SUBJECT TO PROTECTIVE ORDER</p> <p>1 THE WITNESS: This document has a</p> <p>2 main heading, not the one you've circled.</p> <p>3 BY MR. MALOFIY:</p> <p>4 Q. Yeah, that's not what I'm referring</p> <p>5 to.</p> <p>6 A. There's a main heading, and that says,</p> <p>7 "Insist on Genuine Volvo Body Parts."</p> <p>8 So anyone continuing to read this</p> <p>9 document would, of course, make the conclusion</p> <p>10 that it has something to do with Volvo and not</p> <p>11 some other make of vehicle.</p> <p>12 Q. Okay, okay. So anyone would come to</p> <p>13 the conclusion that the cars depicted in this</p> <p>14 Werberg-11 are Volvos, correct?</p> <p>15 MR. WICKERSHAM: Form objection.</p> <p>16 BY MR. MALOFIY:</p> <p>17 Q. I'm just trying to follow your</p> <p>18 thoughts there, sir.</p> <p>19 A. It states, "Insist on genuine Volvo</p> <p>20 body parts." It states, "Over the years, Volvo</p> <p>21 has built a reputation for safe, reliable,</p> <p>22 long-lasting cars."</p> <p>23 Q. We don't have to read it into the</p> <p>24 record; that's not the purpose of my</p>	Page 102	<p>SUBJECT TO PROTECTIVE ORDER</p> <p>1 900," as you said. I'm aware of the Volvo 900-</p> <p>2 series, as it's stated here.</p> <p>3 Q. The 900 series, but you're not aware</p> <p>4 of a model with 9-0-0, correct?</p> <p>5 A. This illustration does not seem to be</p> <p>6 about a specific car model.</p> <p>7 Q. All right.</p> <p>8 A. As we discussed earlier, the</p> <p>9 illustration is clearly trying to point out</p> <p>10 something very specific --</p> <p>11 Q. Yes.</p> <p>12 A. -- some sort of flow. It has a large</p> <p>13 yellow arrow. Then it has many -- I don't know</p> <p>14 exactly how many -- smaller yellow arrows.</p> <p>15 Q. Yes. Let me ask you my questions more</p> <p>16 specifically. Volvo never manufactured a 900;</p> <p>17 there was never a 900 model ever manufactured,</p> <p>18 correct?</p> <p>19 MR. WICKERSHAM: Form objection.</p> <p>20 BY MR. MALOFIY:</p> <p>21 Q. That you're aware of?</p> <p>22 A. I'm not a hundred percent aware of</p> <p>23 every model ever designed and manufactured by</p> <p>24 Volvo Car Corporation.</p>	Page 104